

Determinations as to Uses Not Listed

Please see the Community Development Department [home](#) page for the fee schedule.

[Application Form](#)

DETERMINATIONS AS TO USES NOT LISTED

Overview

A determination as to Uses Not Listed is a process used to allow a use that is not specifically listed in the applicable Zoning district, but which is similar to uses that are allowed. This process only applies to the OR, HM, C or M districts and will allow the Planning Commission to appropriately designate the proposed use.

It is important to note that this procedure is not to be used as a means of adding new uses to a zoning district rather recognizes a specific use as having similar characteristics to allowable uses. Should the use not be similar to allowable uses but you still wish for the use to occur within the zone, then a text amendment or zone reclassification would be needed to accommodate your proposed use.

How to Apply

Application materials are available at the Community Development Department, Third floor, City Hall. The department staff can assist you with the materials needed for a complete application packet. Once you have put together a complete application packet, return the materials to the department for processing.

The Application Review Process

Step 1: Application acceptance/Department review

Once your application has been accepted and fees collected, the department staff will perform a preliminary review of the application to determine if the application is complete. The review will focus on the request in order to accurately describe your project in the public notice and to the decision maker. Should your application be found incomplete, you will receive a notice indicating what items must be submitted before processing can continue.

Step 2: Staff Review and Reporting

Staff will review the proposed use and compare the nature and characteristics of the proposed use with those of the uses specifically listed in the zoning district. Staff will prepare a report addressing their investigation and will make a recommendation as to the classification of the proposed use. A copy of the report will be sent to you for review and comment.

Step 3: Planning Commission Determination

The Planning Commission has the power to approve or deny your application. The Commission will take into account staff's report and recommendation as well as input that you may wish to provide prior to making their decision.

Step 4: Appeals

The applicant or any other person may appeal the Planning Commission decision to the City Council, provided that the appeal is filed with the City Clerk within 10 calendar days of the decision. Appeals must be submitted in writing on forms provided by the City Clerk and be accompanied by the required fees (check with the Community Development Department or the City Clerk for information regarding fees or the appeal process). The City Council's decision will be final.

How to Get Help

If you are having difficulties preparing your application, call or visit the Community Development Department and discuss your project with the department staff. If you are still confused over the application procedure, you may wish to hire a consultant; such as an engineer, land surveyor, or professional planner. A listing of qualified professionals is available in the yellow pages of the phone directory.